

September 21, 2022

REGULAR MEETING

PUBLIC HEARING

The regular meeting of the Martinsburg Town Board was held on Wednesday, September 21, 2022 at the Municipal Offices on Cemetery Road and called to order at 7:00 PM. Present were: Supervisor Terrence Thisse; Councilmen Brad Allen, Darren Jantzi and Janusz Karelus; Attorney Joseph Russell; Town Clerk Mary Kelley; CTHC Circuit Rider Beth Steria; County Legislator Josh Leviker; Tax Collector Deanna Doviak; Gordon Yancey; Bette Lathan. Absent: Councilman Michael McGrath and Highway Superintendent Tyler Jones.

MINUTES

The minutes of the last meeting were emailed to the board prior to this meeting. Councilman Karelus made a motion, seconded by Councilman Jantzi to approve the minutes of the last meeting as presented. All were in favor. Motion carried.

BILLS – Abstract #9-2022

General:	Voucher #201-224	\$ 9,920.60
Highway:	Voucher #160-177	\$120,450.98
Glenfield Water :	Voucher #51-56	\$ 4,726.96
Glenfield Sewer:	Voucher #41-47	\$ 4,940.32
Martinsburg Water #1:	Voucher #46-50	\$ 1,129.26
Street Lighting:	Voucher #9-10	\$ 498.41
Whitaker Park:	Voucher #44-49	\$ 610.58

After some discussion, Councilman Jantzi made a motion, seconded by Councilman Allen to approve payment of the bills as amended. All were in favor. Motion carried.

TOWN CLERK REPORT

The Town Clerk report for the month of August was presented for review. Councilman Karelus made a motion, seconded by Councilman Jantzi to accept the Town Clerk report for the month of August. Total State and Local Revenues totaled \$14,965.35. All were in favor. Motion carried.

COOPERATIVE TUG HILL COUNCIL

Ms. Steria gave reports on the following:

- Annual dinner and meetings
- National Grid survey for response time – create a resilience plan
- Affordableconnectivity.gov created by FCC
- Technical grants
- JCAP Grant

7:15 PM Councilman Jantzi made a motion, seconded by Councilman Karelus to open a Public Hearing to hear comments on an Inter-municipal agreement between the County of Lewis and Town of Martinsburg for road damage reimbursement caused by motorized recreational activities. Supervisor Thisse explained the procedures and criteria the County will consider in providing reimbursement to an opted-in-Town for road materials for repair to a road damaged from permitted motorized events. There being no comments at this time, Supervisor Thisse left the Public Hearing open and continued on with regular business.

COUNTY LEGISLATOR REPORT

Mr. Leviker reported on the following:

- Spectrum wifi access points

- a) 3-G Field Day Grounds
- b) 6036 and 6017 Main St Glenfield
- c) Playground in Martinsburg
- d) Municipal Offices
- Wayfinding Signage
- Ramos Road Schoolhouse has been listed on the State Historical Register
- Redistricting of Lewis County Districts for County legislators
- County budget – no increase for 2023
- Old County highway radios are being deprogrammed so they can be re used by town highway departments

Mr. Yancey suggested, in regard to the highway agreement with the county, that town roads be videoed in the fall and spring.

There being no more comments on the public hearing, Councilman Allen made a motion, seconded by Councilman Karelus to close the Public Hearing at 7:35 PM. All were in favor. Motion carried.

Councilman Allen made a motion, seconded by Councilman Karelus to adopt the following resolution:

**RESOLUTION AUTHORIZING THE TOWN TO OPT- IN TO
COUNTY LOCAL LAW NO. 3-2022 AND AUTHORIZING IMA WITH COUNTY
FOR ROAD DAMAGE REIMBURSEMENT.**

WHEREAS, the Lewis County Board of Legislators approved and adopted Local Law No. 3-2022 entitled “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWNS AND PROPERTY WHERE THE TOWN HAS OPTED IN”, with the intended purpose of establishing a system for the county and towns to anticipate and prepare for special events, especially motorized events which impact county and town roads, trails and lands; and

WHEREAS, pursuant to said County Local Law, each Town that opts into the permitting and regulating procedures of special events as set forth in Local Law No. 3-2022, will be entitled to participate in the road damage reimbursement fund (as a result of permitted motorized recreational activities) established by the County pursuant to an Inter-Municipal Agreement (IMA); and

WHEREAS, pursuant to Lewis County Local Law No. 3-2022, a municipality that seeks to opt into the amended special events law must do so by Resolution;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Martinsburg Town Board herein affirms its approval to opt into Lewis County Local Law No. 3-2022, the Amended Local Law Regulating and Permitting Special Events On County and/or Town Roads, Trails and Property and the permitting procedures therein set forth.

Section 2. That the Martinsburg Town Board authorizes the Supervisor to execute the Inter Municipal Agreement prepared by the County to participate in the County road damage reimbursement fund with respect to reimbursement of road material costs incurred as a result of permitted motorized recreational activity.

Section 3. That the Clerk of the Town of Martinsburg is directed to forward a certified copy of this Resolution to the Lewis County Attorney upon adoption.

Section 4. That the within resolution shall take effect immediately.

Roll call vote: Supervisor Thisse – aye

Councilman Allen – aye

Councilman Karelus – aye

Councilman Jantzi – aye

Councilman McGrath – absent

Motion carried.

PRIVILEGE OF THE FLOOR

Ms. Lathan, representing the Martinsburg Historical Society, reported that the Ramos Road school house has been listed on the State Register of Historical Places. An Open House will be held October 1 featuring William Greer, a descendant of Horatio Hough. The theme for Martinsburg Day next year will feature historic homes and places of Martinsburg. Stone restoration of the Staring (Pansy Hill) Cemetery will be completed this year. Ms. Lathan asked for permission to order a memorial stone for Chapel Hill Cemetery on Flat Rock Road. It would list known burials where there is no gravestone marking the burial. The cost would be approximately \$2000 and could the town split the cost with the Martinsburg Historical Society? Work will be done on Lee Road Cemetery in 2023. She also reported that the West Martinsburg Church preservation group is doing fund raising for the steeple and other repairs to the church.

Discussion was held on a letter received from Robert Hindman who has property on Centerville Road. His concerns included:

- Drainage ditch on Graves Road, being almost 5' deep, presents a hazard to potential users
- Wants town to take corrective action by installing guard rails or culverts
- Removal of dirt to another location
- Removal of a survey stake and damage to the root structure of old growth maple trees

Several board members reviewed the area in question and it was determined that the ditch was well within the town right of way. It is not an unusual ditch by county/town standards. Highway Superintendent Jones' response to these complaints:

- Deepest portion of ditch is 3'6"
- No property stake was removed
- Ditch was put in the town right of way
- Soil removed was rock, mud and brush

A letter will be sent to Mr. Hindman addressing the issues.

LED LIGHTING

Progress is being made to finalize this project - working on the three new street light requests. A training webinar has been scheduled. There is a "maintenance contract" from the NY Power Authority that the Supervisor will research more.

GLENFIELD WATER AND SEWER PROJECTS – no new updates from Barton and Loguidice.

No decision yet on how to use the ARPA (American Rescue Plan) funds. The Supervisor did receive some information from the Association of Towns.

Discussion was held on changing energy providers – we currently have Constellation. There is available a Community Choice Aggregation plan - Community Choice Aggregation ("CCA"). CCA is a policy that, taking into account local resources, priorities, and challenges, empowers local governments, among other things, to select default energy offerings on behalf of its residents and small businesses. Energy delivery shall remain the responsibility of the Distribution Utility. Joule Assets, Inc. could be selected as administrator. The Clerk is to send the information to Attorney Russell.

JUSTICE AUDIT

The Supervisor audited the Justice records for 2021 and reviewed the findings with the board. Councilman Jantzi made a motion, seconded by Councilman Allen, accepting the Supervisors findings of the Justice Audit and that all the fines that were collected by the Court for 2021 have been turned over to the proper officials. All were in favor. Motion carried.

SPECIAL EVENT LAW

Supervisor Thisse discussed several events that have been held or will be held using Town of Martinsburg roads:

- Buck Run
- Ride for Ty

- Timberview Poker Run – several events and they are not filling out or submitting a permit. Because of this, the town has no idea how many people are participating in any given event

For the Buck Run, they reported 597 people were involved. Councilman Jantzi made a motion, seconded by Councilman Karelus to accept the permit fee from Tug Hill Adirondack ATV Association (597 people plus an additional 1/3 at \$.50 per person) of \$397.00. All were in favor. Motion carried.

Sam Kriwox has notified the Clerk that he is resigning from the Zoning Board of Appeals. He will need to submit a resignation letter. Rosemary Rook has expressed interest in the position. There is also a vacancy on the Planning Board.

The historian said she is in need of a new computer. The board agreed to the purchase of a new computer and will share the cost with the Martinsburg Historical Society.

Since the Municipal Offices went with a new phone system, it left the historian's office still with Frontier. The bill for one telephone line at the old town hall is excessive. Clerk is to see if that office phone can combine with the others, with Spectrum.

The clerk was notified that BAS will no longer support the utility billing program. The Clerk is to look into other programs.

REAL PROPERTY TAX QUESTIONNAIRE/SENIOR EXEMPTIONS

Discussion was held on a real property tax questionnaire received from Lewis County Real Property. They also requested we examine our senior exemptions for any changes. Councilman McGrath made a motion, seconded by Councilman Allen authorizing the Clerk to sign the Tax Exemption Questionnaire stating there would be no changes for the next year and that the Senior exemptions would remain the same. All were in favor. Motion carried.

Councilman Allen made a motion, seconded by Councilman Jantzi to re appoint Susan McArdle to the Board of Assessment Review with her term running 10/01/22 – 09/30/2027. All were in favor. Motion carried.

Discussion was held on Marks cemetery plots at East Martinsburg Cemetery.

Supervisor Thisse gave an update on the County Water Study. Potential well sites were found at the Lomeo Sale Barn location. The study is researching any potential well sites to eventually connect towns together.

Discussion was held on the Veteran Banner request for Martinsburg. Legislator Leviker stated that the Village of Turin does this. A presentable picture must be submitted. He said that there is not much maintenance once they are up and you don't need permission from National Grid.

Councilman Allen made a motion, seconded by Councilman Karelus to go into executive session at 8:50 PM to discuss potential litigation. All were in favor. Motion carried.

Councilman Karelus made a motion, seconded by Councilman Jantzi to leave executive session at 9:00 PM and return to regular meeting. All were in favor. Motion carried.

It was reported that a fluorescent light in the breakroom had burnt out. Councilman Jantzi reported that he had spoken to Ben Fouse, Green Volt Solutions and he said it was a ballast problem. Councilman Jantzi made a motion, seconded by Councilman Karelus, to hire Mr. Fouse to repair all the fluorescent lights in the building, by passing the ballast in the light fixtures, at \$10 per fixture. All were in favor. Motion carried.

Councilman Jantzi made a motion, seconded by Councilman Allen to adjourn at 9:20 PM. All were in favor. Motion carried.

Respectfully submitted, Mary Kelley, Town Clerk

